

# Notice of Allowability

Application No.

10/065,257

Examiner

Anthony S. Addy

Applicant(s)

NARASIMHA ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Remarks/Amendment of 03/19/2007.
2. ☒ The allowed claim(s) is/are 1, 2, 4, 7-17, 20-31 and 35-36 (renumbered as claims 1-27, respectively).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
DUC M. NGUYEN  
SUPERVISORY PRIMARY EXAMINER  
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A.S.A

## DETAILED ACTION

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Charles Moore (Reg. No. 33,742) on 21 May 2007.
3. The application has been amended as follows:

### IN THE CLAIMS

Claim 1: lines 18-19,

"the grey condition" has been replaced with -- **the grey zone condition** --

Claim 1: line 20,

"acquiring another channel from the channel scan list in response to the other channel" has been replaced with -- **acquiring a new channel from the channel scan list in response to the new channel** --

Claim 4: lines 2-3,

"channel scan list comprises: scanning at least channels in a preferred roaming list." has been replaced with -- **channel scan list comprises scanning at least channels in a preferred roaming list.** --

Claim 7: lines 3-7,

“predetermined threshold value; receiving the second quality indicator after the hysteresis timer expires and before scanning any channels in the channel scan list; and scanning any channels in the channel scan list in response to the second quality indicator being below the predetermined threshold value.”  
has been replaced with -- **predetermined threshold value; and receiving the second quality indicator after the hysteresis timer expires. --**

Claim 8: line 2,

“the other channel” has been replaced with -- **the new channel --**

Claim 9: line 5,

“the other channel” has been replaced with -- **the new channel --**

Claim 10: line 1,

“the other channel” has been replaced with -- **the new channel --**

Claim 12: lines 2-3,

“from a grey zone channel list in a mobile communications device after the channel has been in the grey zone channel list for a predetermined period of time” has been replaced with -- **from the grey zone channel list in the mobile communications device after the channel has been in the grey zone channel list for a predefined period of time --**

Claim 13: line 2,

“a grey zone channel list” has been replaced with -- **the grey zone channel list --**

Claim 14: line 2,

"for a channel" has been replaced with -- **for a selected channel** --

Claim 14: line 5,

"channel" has been replaced with -- **selected channel** --

Claim 16: line 7,

"another communication system; and" has been replaced with -- **another communication system; adding the CDMA pilot channel to a grey zone channel list in a mobile communication device in response to the second  $E_c/I_o$  indicator being below a grey zone threshold value to avoid a grey zone condition, wherein the grey zone condition includes the mobile communication device being able to receive a page one a forward link from the current communication system to the mobile communication device, but a page response or a system access attempt on a reverse link failing because of insufficient transmit power in the mobile communication device caused by a power control measure of the current communication system which permits interference from other mobile communication devices operating on the current communication system; --**

Claim 16: line 10,

"avoid a grey zone condition" has been replaced with -- **avoid the grey zone condition** --

Claim 16: line 12,

“being below a grey zone threshold value for a predetermined period of time”  
has been replaced with -- **being below the grey zone threshold value;  
skipping any channels on the grey zone channel list during scanning to  
avoid the grey zone condition; and acquiring a new channel from the  
channel scan list in response to the new channel having an associated  
 $E_c/I_o$  greater than the grey zone threshold value --**

Claim 20: line 1,

“method of claim 19” has been replaced with -- **method of claim 16 --**

Claim 21: line 1,

“method of claim 19” has been replaced with -- **method of claim 16 --**

Claim 21: lines 2-7,

“the channel scan list comprises one of skipping any channels on the grey  
zone list or performing a microscan of any channels on the grey zone list to  
avoid a failure of a page response or access attempt on a reverse link from a  
mobile communication device to a base station caused by insufficient transmit  
power in the mobile communication device resulting from a power control  
measure of the current communication system, wherein the insufficient  
transmit power permits interference from other mobile stations operating in the  
current communication system” has been replaced with -- **the channel scan  
list comprises performing a microscan of any channels on the grey zone  
list in lieu of skipping any channels on the grey zone list to avoid the  
grey zone condition--**

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Claim 23: line 13,

“failure of a page” has been replaced with -- **failing a page** --

Claim 24: line 2,

“the other channel” has been replaced with -- **a new channel** --

Claim 24: line 3,

“other channel” has been replaced with --**new channel** --

Claim 24: line 4,

“other channel” has been replaced with --**new channel** --

Claim 29: line 2,

“another channel” has been replaced with -- **a new channel** --

Claim 30: line 1,

“A computer-readable medium having computer-executable” has been replaced with -- **A computer-readable medium having encoded computer-executable** --

Claim 30: line 20,

“acquiring another channel from the channel scan list in response to the other channel” has been replaced with -- **acquiring a new channel from the channel scan list in response to the new channel** --

Claim 31: line 1,

“The computer-readable medium having computer-executable” has been replaced with -- **The computer-readable medium having encoded computer-executable** --

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Claim 36: lines 7-10,

“adding the channel to a grey zone channel list in response to the second quality indicator being below a predetermined threshold value, wherein the grey zone channel list includes any channels having a reverse link from a mobile communication device to a base station capable of being degraded by interference from other mobile communication devices” has been replaced with -- **adding the channel to a grey zone channel list in response to the second quality indicator being below the predetermined threshold value, wherein the grey zone channel list includes any channels having a reverse link from a mobile communication device to a base station being degradable by interference from other mobile communication devices --**

Claim 36: line 17,

“a reverse link” has been replaced with -- **the reverse link --**

Claim 36: line 20,

“the current communication system; and” has been replaced with -- **the current communication system; skipping any channels on the grey zone channel list during scanning to avoid the grey zone condition; and --**

Claim 36: line 21,

“acquiring another channel from the channel scan list in response to the other channel” has been replaced with -- **acquiring a new channel from the channel scan list in response to the new channel --**

**Claims 19, 25, 37 and 38** are cancelled.

***Allowable Subject Matter***

4. **Claims 1, 2, 4, 7-17, 20-31 and 35-36** (renumbered as **claims 1-27**, respectively) are allowed.

5. The following is a statement of reasons for the indication of allowable subject matter:

**Claims 1, 2, 4, 7-17, 20-31 and 35-36** are allowed in view of Applicant's remarks/amendment filed on March 19, 2007.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony S. Addy whose telephone number is 571-272-7795. The examiner can normally be reached on Mon-Thur 8:00am-6:30pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duc M. Nguyen can be reached on 571-272-7503. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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